



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 117th CONGRESS, SECOND SESSION

Vol. 168

WASHINGTON, MONDAY, JANUARY 3, 2022

No. 1

Senate

The Senate met at 12:03 p.m. and was called to order by the Honorable TAMMY BALDWIN, a Senator from the State of Wisconsin.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Spirit, as the snow falls on Capitol Hill, we thank You for being our shelter in the time of storm.

Lord, we live in challenging times that require more than human solutions for our problems. In the midst of these days, help our lawmakers to find in You a sure place to stand and a strong support they can absolutely trust. Lord, give them such faith in You that they will seek and follow Your guidance, living lives that honor Your Name. Rule in their hearts as they deliberate so that Your higher wisdom will prevail.

And Lord, we thank You for the legacies of former Senators Johnny Isakson and Harry Reid.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, January 3, 2022.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable TAMMY BALDWIN, a Senator from the State of Wisconsin, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Ms. BALDWIN thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Vermont.

Mr. LEAHY. Madam President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. LEAHY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SECOND SESSION OF THE 117TH CONGRESS

Mr. LEAHY. Madam President, I had hoped to be opening this new session as President pro tempore, but I couldn't imagine anybody who is better suited to be the Acting President pro tempore than the distinguished Senator from Wisconsin, and I thank her for being here.

Apparently, to a number of the groups around this area, it comes as a surprise that it was snowing and the snow could be slippery and probably

they should have gotten some plows out. Maybe now they will. If not, we can hope for several days of warm sunshine, which is the best snow remover down here.

The distinguished Presiding Officer is well aware of what snow is like in her State, as I am in the State of Vermont, and we usually go out and clear the roads. But I appreciate those few who are out there doing it. I have seen sidewalk plows and other things and some road plows, and I applaud those who are doing that because it is not an easy job. And I realize, coming from the State of Vermont where we are used to snow, we get used to getting rid of it.

I know the Senate is thinking of going out in 1 or 2 minutes. I will speak later this week about the anniversary of January 6, and I will state this very, very seriously: I am beginning my 48th year here, and I have never seen such a total abuse of our democracy, not in the 48 years I have been here. I have cast 17,000 votes, and I cast them with the idea of preserving our democracy.

The people who stormed the Capitol had no sense of what a democracy is, had no sense of the importance of the Senate and the House of Representatives. They had no sense of the importance of having both political parties protecting our Constitution and our country. It was a disgraceful time I hope never to be repeated.

I will also speak later about my dear and close friend Harry Reid of Nevada, who left us in the past few days. Harry and I ran the same year. I was in the Senate, and we campaigned together when he ran. I was thrilled to be re-elected and thrilled that he was elected, and I felt so honored to be able to vote for him as our leader, both majority leader and minority leader. He was a good man. He came from a small, rural town, as did I. He believed in the U.S. Senate. I think of his memory and the memories of others who served in both parties who saw the loss of Bob Dole, another one who believed in the

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S1

Constitution and how this country should be run. I believe in the giants whom I had a chance to serve with in both parties.

Let us hope that we will see the leadership in both parties roundly condemn what we saw a year ago and pray it never happens again.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. BALDWIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE SESSION

Ms. BALDWIN. Mr. President, I move to proceed to legislative session.

The PRESIDENT pro tempore. The question is on agreeing to the motion. The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Ms. BALDWIN. Mr. President, I move to proceed to executive session to consider Calendar No. 327.

The PRESIDENT pro tempore. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDENT pro tempore. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Anne A. Witkowski, of Maryland, to be an Assistant Secretary of State (Conflict and Stabilization Operations).

CLOTURE MOTION

Ms. BALDWIN. Mr. President, I send a cloture motion to the desk.

The PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 327, Anne A. Witkowski, of Maryland, to be an Assistant Secretary of State (Conflict and Stabilization Operations).

Robert Menendez, Patrick J. Leahy, Patty Murray, Maria Cantwell, Sheldon Whitehouse, Brian Schatz, Debbie Stabenow, Catherine Cortez Masto, Christopher A. Coons, Ron Wyden, Margaret Wood Hassan, Edward J. Markey, Benjamin L. Cardin, Richard J. Durbin, Tina Smith, Elizabeth Warren, Angus S. King, Jr.

Ms. BALDWIN. Mr. President, I ask that the mandatory quorum call for the cloture motion filed today be waived.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE SESSION

Ms. BALDWIN. I move to proceed to legislative session.

The PRESIDENT pro tempore. The question is on agreeing to the motion. The motion was agreed to.

ORDERS FOR TUESDAY, JANUARY 4, 2022

Ms. BALDWIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, January 4; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day and morning business be closed; that upon the conclusion of morning business, the Senate proceed to executive session and resume consideration of the Witkowski nomination; further, that at noon the Senate vote on confirmation of the Sanchez nomination, with all provisions remaining in effect; finally, that upon disposition of the Sanchez nomination, the Senate recess until 2:15 p.m. to allow for the weekly caucus meetings.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Ms. BALDWIN. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 12:17 p.m., adjourned until Tuesday, January 4, 2022, at 10 a.m.

NOMINATIONS RETURNED TO THE PRESIDENT

MONDAY, JANUARY 3, 2022

The following nominations transmitted by the President of the United States to the Senate during the first session of the 117th Congress, and upon which no action was had at the time of the sine die adjournment of the Senate, failed of confirmation under the provisions of Rule XXXI, paragraph 6, of the Standing Rules of the Senate.

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

ANDREW FOIS, OF THE DISTRICT OF COLUMBIA, TO BE CHAIRMAN OF THE ADMINISTRATIVE CONFERENCE OF THE UNITED STATES FOR A TERM OF FIVE YEARS.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SARA C. BRONIN, OF CONNECTICUT, TO BE CHAIRMAN OF THE ADVISORY COUNCIL ON HISTORIC PRESERVATION FOR A TERM EXPIRING JANUARY 19, 2025.

BARRY GOLDWATER SCHOLARSHIP AND EXCELLENCE IN EDUCATION FOUNDATION

BARBARA GEORGE JOHNSON, OF NEW JERSEY, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE BARRY GOLDWATER SCHOLARSHIP AND EXCELLENCE IN EDUCATION FOUNDATION FOR A TERM EXPIRING FEBRUARY 4, 2026.

MILDRED OTERO, OF FLORIDA, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE BARRY GOLDWATER SCHOLARSHIP AND EXCELLENCE IN EDUCATION FOUNDATION FOR A TERM EXPIRING AUGUST 11, 2026.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

JENNIFER BETH SASS, OF MARYLAND, TO BE A MEMBER OF THE CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD FOR A TERM OF FIVE YEARS.

COMMODITY FUTURES TRADING COMMISSION

CHRISTY GOLDSMITH ROMERO, OF VIRGINIA, TO BE A COMMISSIONER OF THE COMMODITY FUTURES TRADING COMMISSION FOR THE REMAINDER OF THE TERM EXPIRING APRIL 13, 2024.

KRISTIN N. JOHNSON, OF MICHIGAN, TO BE A COMMISSIONER OF THE COMMODITY FUTURES TRADING COMMISSION FOR A TERM EXPIRING APRIL 13, 2025.

CONSUMER PRODUCT SAFETY COMMISSION

MARY T. BOYLE, OF MARYLAND, TO BE A COMMISSIONER OF THE CONSUMER PRODUCT SAFETY COMMISSION FOR A TERM OF SEVEN YEARS FROM OCTOBER 27, 2018.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

CYNTHIA C. HOGAN, OF OHIO, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING FEBRUARY 8, 2024.

SHIRLEY SACHI SAGAWA, OF MARYLAND, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING OCTOBER 6, 2024.

ALVIN HARLYN WARREN, OF NEW MEXICO, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING OCTOBER 6, 2023.

DEPARTMENT OF COMMERCE

ARUN VENKATARAMAN, OF THE DISTRICT OF COLUMBIA, TO BE ASSISTANT SECRETARY OF COMMERCE AND DIRECTOR GENERAL OF THE UNITED STATES AND FOREIGN COMMERCIAL SERVICE.

GRANT T. HARRIS, OF CALIFORNIA, TO BE AN ASSISTANT SECRETARY OF COMMERCE.

LAURIE E. LOCASCIO, OF MARYLAND, TO BE UNDER SECRETARY OF COMMERCE FOR STANDARDS AND TECHNOLOGY.

JAINIEY KUMAR BAVISHI, OF NEW YORK, TO BE ASSISTANT SECRETARY OF COMMERCE FOR OCEANS AND ATMOSPHERE.

VIQUAR AHMAD, OF TEXAS, TO BE AN ASSISTANT SECRETARY OF COMMERCE.

VIQUAR AHMAD, OF TEXAS, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF COMMERCE.

JED DAVID KOLKO, OF CALIFORNIA, TO BE UNDER SECRETARY OF COMMERCE FOR ECONOMIC AFFAIRS.

DEPARTMENT OF DEFENSE

BRENDA SUE FULTON, OF NEW JERSEY, TO BE AN ASSISTANT SECRETARY OF DEFENSE.

DEPARTMENT OF EDUCATION

AMY LOYD, OF NEW MEXICO, TO BE ASSISTANT SECRETARY FOR CAREER, TECHNICAL, AND ADULT EDUCATION, DEPARTMENT OF EDUCATION.

DEPARTMENT OF ENERGY

SHALANDA H. BAKER, OF TEXAS, TO BE DIRECTOR OF THE OFFICE OF MINORITY ECONOMIC IMPACT, DEPARTMENT OF ENERGY.

ASMERET ASEFAW BERHE, OF CALIFORNIA, TO BE DIRECTOR OF THE OFFICE OF SCIENCE, DEPARTMENT OF ENERGY.

JOSEPH F. DECAROLIS, OF NORTH CAROLINA, TO BE ADMINISTRATOR OF THE ENERGY INFORMATION ADMINISTRATION.

MARIA DUARTE ROBINSON, OF MASSACHUSETTS, TO BE AN ASSISTANT SECRETARY OF ENERGY (OFFICE OF ELECTRICITY).

DEPARTMENT OF HEALTH AND HUMAN SERVICES

ROBERT MCKINNON CALIFF, OF NORTH CAROLINA, TO BE COMMISSIONER OF FOOD AND DRUGS, DEPARTMENT OF HEALTH AND HUMAN SERVICES.

DEPARTMENT OF HOMELAND SECURITY

ED GONZALEZ, OF TEXAS, TO BE AN ASSISTANT SECRETARY OF HOMELAND SECURITY.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SOLOMON JEFFREY GREENE, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT.

MARK COLON, OF NEW YORK, TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT.

DAVID UBJIO, OF CALIFORNIA, TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT.

JULIA RUTH GORDON, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT.

JAMES ARTHUR JEMISON II, OF MICHIGAN, TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT.

ELIZABETH DE LEON BHARGAVA, OF NEW YORK, TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT.

DEPARTMENT OF JUSTICE

HELAINE ANN GREENFELD, OF MARYLAND, TO BE AN ASSISTANT ATTORNEY GENERAL.

DEPARTMENT OF LABOR

ELIZABETH SCHOFF WATSON, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF LABOR.

DAVID WEIL, OF MASSACHUSETTS, TO BE ADMINISTRATOR OF THE WAGE AND HOUR DIVISION, DEPARTMENT OF LABOR.